

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARGARET E. HARRIS and
LAURENCE J. HARRIS,

Plaintiffs,

NOTICE OF MOTION

v.

Case No. 3:03-CV-1076

UNITED HEALTH SERVICES, INC. AND
PROFESSIONAL HOME CARE, INC.,

Defendants.

MOTION MADE BY:

Frederick J. Meagher, Jr., Meagher & Meagher
Attorneys at Law, attorneys for the Plaintiffs

DATE, TIME & PLACE
OF HEARING

United States District Court, Northern District
of New York, Binghamton, New York on June
24, 2005 at 9:00 a.m. or as soon thereafter as
counsel can be heard

SUPPORTING PAPERS:

Affidavit of Patricia J. Callahan, RN sworn to
the 20th day of May, 2005 and Affidavit of Carl
Warren Adams, MD sworn to the 27th day of
May, 2005.

NATURE OF ACTION:

Malpractice

RELIEF DEMANDED:

Pursuant to Rule 56 of the Federal Rules of
Civil Procedure for Summary Judgment on the
issue of the delivery of the medication by the
Defendants' employee.

ENDORSEMENT ORDER

Plaintiff's motion for Summary Judgment
is DENIED without Prejudice for failure
to comply with N.D.N.Y.L.R. 7.1(a)(1) and
7.1(a)(3).

Dated at Binghamton, NY

6/3/05
IT IS SO ORDERED

Thomas J. McAvoy
District Court Judge

If any, must be filed and served at least
seventeen (17) days prior to the return date of
this motion. Reply papers must be filed and
served at least eleven (11) days prior to the
return date. A Sur-Reply is not permitted.

MEAGHER & MEAGHER

By:

Frederick J. Meagher, Jr.
Frederick J. Meagher, Jr.
Attorneys for Plaintiffs
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